



MINUTES OF THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

Sachi A. Hamai, Executive Officer-
Clerk of the Board of Supervisors
383 Kenneth Hahn Hall of Administration
Los Angeles, California 90012

At its meeting held December 5, 2006, the Board took the following action:

83-A

Supervisor Yaroslavsky made the following statement:

“On December 2, 2006, at approximately 1:00 a.m., landslide movement ruptured the Los Angeles County Waterworks District No. 29 - Malibu underground water mains, including three ten inch mains and the 30 inch transmission main, at Pacific Coast Highway in-between Big Rock Drive and Pena Road in Malibu. The water main break caused damage to Pacific Coast Highway which required the State Department of Transportation to close two of four lanes of traffic.

“In the professional engineering opinion of the Director of Public Works, the current condition of the slope supporting the water main at Pacific Coast Highway in-between Big Rock Drive and Pena Road constitutes an impending peril to persons and property as a result of gradual earth movement.

“By December 3, 2006, the three water mains were repaired and temporary stabilization measures were implemented on the slope between Pacific Coast Highway and the Pacific Ocean. However, the Director of Public Works recommends in his professional engineering judgment that further emergency repairs are needed to stabilize the water mains and the surrounding soil in order to prevent further breaks. The State Costal Commission, the City of Malibu, and the State Department of Transportation have approved the proposed emergency repairs and the Waterworks District has retained an emergency contractor who will commence emergency repairs on or about December 5, 2006. The repairs will consist of construction activities to restore the proper support for the water mains on the State right-of-way and on a portion of private undeveloped property immediately adjacent to the damaged water main. As of the time of drafting this motion, the private property owner has refused to grant permission for the emergency repairs to be performed on his property.

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“Further breaks of the water mains could severely damage the water system and negatively impact the delivery water service to a large number of properties in the Malibu region. Additionally, such an event could further damage Pacific Coast Highway and negatively impact the flow of traffic and access to and from the Malibu region for a large number of vehicles.

“In addition, the State Department of Transportation considers the current temporary traffic configuration to be undesirable and the emergency repair work recommended by Public Works will restore the permanent configuration.”

Therefore, on motion of Supervisor Yaroslavsky, seconded by Supervisor Knabe, unanimously carried, the Board took the following actions:

1. Made a finding pursuant to Government Code Section 54954.2(b)(2), that there is a need to take immediate action and that the need for action came to the attention of the Board subsequent to the agenda being posted as specified in subdivision (a);
2. Made a finding pursuant to Government Code Section 866, on the basis of the professional engineering opinion of the Director of Public Works, the current condition of the slope supporting the water main at Pacific Coast Highway in-between Big Rock Drive and Pena Road constitutes an impending peril to persons and property as a result of gradual earth movement;
3. Made a finding pursuant to Government Code Section 866, on the basis of the professional engineering opinion of the Director of Public Works, the appropriate remedial action to halt, stabilize, and abate such impending peril is to perform construction activities to restore the proper support for the water mains on the State right-of-way and on a portion of private undeveloped property immediately adjacent to the damaged water main;
4. Authorized the Director of Public Works to implement such remedial action pursuant to Government Code Section 866; and

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5. Directed the Director of Public Works to consult with Caltrans regarding the property owners' proposal concerning how the slope should be permanently repaired.

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Copies distributed:

- Each Supervisor
- Chief Administrative Officer
- County Counsel
- Director of Public Works